

Election Proclamation.

Notice is hereby given that the following order has been duly entered of record in the Montgomery County Court, to-wit:

MONTGOMERY COUNTY COURT.

Regular August Term, 1912. August 19, 1912.

Present, Hon. G. A. McCormick, Judge.

Court met with the Hon. G. A. McCormick, Judge, presiding. Thereupon came J. P. Highland and others, petitioners, who had heretofore, to-wit on August 1, 1912, filed their petition with the Judge of this court and which had been noted of record in the court, and moved the court to order an election in each of the precincts and voting places in Montgomery County, Kentucky, to take the sense of the qualified voters of said county upon the question of whether spirituous, vinous or malt liquors should be sold, bartered or loaned in said county, and that the said vote should apply to druggists.

To maintain their petitions in Spencer Precinct the petitioners introduced witnesses as follows: B. F. Perry, J. T. Coons and Sam Duff, who testified that the petition on file herein from said precinct, signed by William Stamper and 71 others, was signed by each of the petitioners whose names were subscribed thereto, and that each of the said petitioners were residents and legal voters of the said precinct.

Thereupon, to maintain their petitions in Camargo Precinct the petitioners introduced witnesses as follows: F. D. Richardson, T. C. Quisenberry, Joe A. Trimble, who proved that the petitions from said precinct, signed by J. A. Trimble and 81 others, on file herein, was signed by each of the said 82 petitioners, and that each of the said 82 petitioners were residents and legal voters of said Camargo Precinct at the time said petition was signed, with the exception of G. W. Robinson and N. O. Moss.

To maintain their petition from Bean's Precinct petitioners then introduced F. H. Lockridge, who proved that the said petition was signed by the said F. H. Lockridge and 56 others from said precinct, whose names appear signed to said petition, and that each of said petitioners was at the time of signing same a resident and legal voter in said precinct.

To maintain their petition from Sideview Precinct petitioners then introduced as witnesses B. F. Mark, George M. Roberts, W. E. Faris, Joe Henry and Albert Reid, who proved the execution of the petition on file herein from said precinct, signed by Lee Brown and 41 others, and that said petitioners were at the time of signing same citizens, residents and legal voters therein, except Watson Oleson and B. F. Hughes.

To maintain their petition from Grassy Lick Precinct petitioners then introduced as witnesses Dr. A. H. Robbins, B. S. Robbins, O. M. Jones and Dr. J. A. Shirley, who proved the signatures to the petition herein on file from said precinct, signed by J. W. Thompson and 78 others, except the following: Reese Mason, C. T. Peggs, R. B. McGuire, Alfred Richards, Joseph Hart, and that each of the said petitioners were citizens, residents and legal voters of said precinct at the time said petition was signed.

To maintain their petition from Hart's Precinct petitioners then introduced witnesses as follows: A. S. Hart, Mrs. A. S. Hart, Mrs. Frank P. Boyd, Laura Hart, who proved the signing of said petition by A. S. Hart and 64 others whose names appear on said petition, and that each of said petitioners was at the time of signing same a citizen, resident and legal voter in said precinct.

To support their petition from Aaron's Run Precinct petitioners then introduced witnesses as follows: Thomas Cravens, Charles E. Duff, Mat Ford, B. H. Hatton, R. R. Hutchinson, G. W. Humphries, J. T. Stockdale, Thomas Tubbs, John Tubbs, Thornton McLean, Clark McLean, J. H. Hovermale, J. W. Mea, Bob Dale, who proved the execution and signature of the said petition by each of the signers whose names appear thereon, being J. P. Highland and 49 others, and that each of said signers was at the time of signing same a citizen, resident and legal voter in said precinct, except J. E. Helton and A. D. South.

To support their petition from Howard's Mill Precinct petitioners then introduced witnesses as follows: D. M. Cash, G. W. Blevins, who proved the execution of the said petition on file herein, signed by John R. Thomas and 96 others, to have been signed by the said petitioners, except: W. E. Jones, A. R. Turley, Lee Wigginton, and that each of the said signers to said petition were citizens, residents and legal voters of said precinct at the time of signing same.

To support their petition from Levee Precinct petitioners then introduced as witnesses J. L. Faulkner and Vivian Faulkner, who proved the execution of the petition herein, signed by J. L. Faulkner and 61 others, and that same was signed by each of said petitioners, and that each of them was a citizen and legal voter of the said precinct at the time it was signed.

To support their petition from Jeffersonville precinct petitioners then introduced as a witness John F. Groomes, who proved the execution of the petition on file herein, signed by said John F. Groomes and 72 others, and that same was signed by each of said petitioners, and that each of them was at the time of signing same a citizen, resident and legal voter in said precinct.

To sustain their petition from Smithville Precinct petitioners then introduced the following witnesses: Robert Marshall, W. H. Dyson, H. C. Ledford and Jacob Lansdale, who proved the execution of said petition on file herein, signed by Rev. W. H. Brown and 62 others, to have been signed by each of the persons whose names appear thereon, and that each of said persons was a citizen, resident and legal voter of said precinct at the time of signing same, except W. H. Dyson and R. L. Thomas.

To sustain their petition on file herein from the First Ward, Precinct A, City of Mt. Sterling, signed by B. W. Trimble and 77 others, introduced as witnesses: O. W. McCormick, John L. McCormick, S. O. Wood, R. F. Mastin, A. J. Harness, D. C. Tipton, J. P. Sullivan, R. I. Cord, E. W. Senff, P. O. Andrews, R. J. Hunt, Silas Stoffer, T. F. Rogers, B. F. Herriott and Nick Hadden, Jr., who proved the execution of the said petition by the said persons whose names are signed thereto, and that each of said persons was a resident and legal voter in said precinct at the time of signing same, except the following: O. S. Million, G. E. Owings, M. R. Hainline and J. W. Prewitt, whose signatures were not proven.

To sustain their petition from the Second Ward, Precinct B, City of Mt. Sterling, signed by J. A. Shirley and 96 others, petitioners introduced as witnesses Dr. J. F. Jones, Dr. J. A. Shirley and B. F. Wyatt, who proved the execution of the said petition by each of the persons whose names are signed thereto, and that each of the said persons was a resident and legal voter in said precinct at the time of signing same.

To sustain their petition from the Third Ward, Precinct C, City of Mt. Sterling, on file herein, signed by George Smith and 72 others, petitioners introduced as witnesses the following: J. W. Thompson, John M. Rainey, O. W. McCormick, Thomas Heinrich, H. C. Ledford,

B. C. Horton, R. T. Moody, Daniel Crawford, Ewing Flynn, who proved the execution of the said petition by each of said petitioners whose names are signed thereto, and that each of the said persons was at the time of signing same a citizen, resident and legal voter in said precinct, except Walter Hall and J. D. Henry.

To sustain their petition from the Fourth Ward, Precinct D, City of Mt. Sterling, on file herein, signed by J. N. Rainey and 47 others, petitioners introduced the following witnesses: J. T. Ricketts, W. P. Apperson, J. W. Shrout, Dr. J. A. Shirley, Ewing Flynn, who proved the execution and signing of said petition by the said petitioners whose names appear thereon, and that each of said petitioners was at the time of signing same a resident and legal voter in said precinct, except: Dr. James H. Stamper, J. B. Cecil, Harrison Mason.

Thereupon J. W. Shrout, who had signed the petition in the First Ward, City of Mt. Sterling, testified that he had signed same under the apprehension that he was a legal voter in the First Ward; whereas he intended to sign the petition in the ward in which he lived and voted, to-wit, the Fourth Ward, and moved the court to allow his name to be transferred from the First to the Fourth Ward. William Botts and others, who had appeared as objectors to the granting of the petition herein, objected to the motion of Shrout and the court took time.

Before the introduction of the evidence above named and on August 19, 1912, came William Botts, Teddy Minehan and James C. King, and filed their written objection to the application herein and to the granting of an order for an election to be held under said application, which said written objection is now noted of record.

The following persons from the following precincts appeared by their attorney, Lewis Apperson, and filed their written request, addressed to the Judge of said Court, to strike their names from the said petition, each of which written requests were here ordered to be filed, to-wit:

Third Ward, Mt. Sterling: John A. Hall, Albert Crooks, Alfred Bean, Tom Reynolds, Ben Jones, Will Davis, Dave White, George Branham, Eli Stewart, George Conner, Willie Jones, George Smith, Wade Tillman, Jack Bush, John Turner, Mose Williams, John Jewett, Charles Smith, Henry Ramsey, Frank Walker, Henry Rogers, George Conner, Lewis Tipton, Theodore Smith, Will Jones, Mahlon Hedger, Green Hanly, Turner Thomas, Al. Darrell, Louis Haskins, Simon Breaks and Harry White.

William Botts and others were introduced as witnesses, whose names appear as attesting witnesses to said papers respectively, who proved the execution of said papers by the persons whose names were signed thereto. Thereafter came the following: Alfred Bean, George Branham, Eli Stewart, Wade Tillman, Charley Smith, Frank Walker, Jack Garrett, Will Jones and Louis Haskins, who, by their attorney, Ed. C. O'Rear, presented their written request addressed to the Judge of this Court, withdrawing their previous written withdrawal from the local option petition in said court and elected to stand on their original signatures. William Botts and other objectors herein objected to the filing of said papers, which objection was overruled by the court, and to which the said William Botts and others excepted.

From the Fourth Ward came the following by their attorney, Lewis Apperson, and filed their written requests to have their names stricken from the petition herein, to-wit: R. H. Montjoy, Clarence Berry, O. S. Bromagen, Henry Daniel, Asa Davis, Otis Watson, Arch White, William Carmichael, which papers were proved by the witnesses whose names appear thereon as attesting witnesses and said motion of the said petitioners to have their names stricken off was sustained.

From the Smithville Precinct came the following petitioners and filed their written requests with the Judge of this Court to have their names stricken from the petition herein, to-wit: John Fisher, Joe Carrington, Leon Lisle, George Owens, Perry Wrenn, Harvey Chenault, Charles Stoner, George Moore, George O'Rear, Beall Fletcher, Henry Bradshaw, John Duncan, Elza Alfrey, Wallace Watts, Richard Chandler, Ben Corey, Nelson Garrett, Jesse Howard, Wilson Cunningham, Reuben Owens, Henry Wilson, M. A. Thomas, Alfred Anderson, Henry South, and moved the court to strike their names from the petition herein. Thereafter came again of the said petitioners: Nelson Garrett, John Fisher, John Duncan, Henry Bradshaw, George O'Rear, Henry South, Richard Chandler, by their attorney, Ed. C. O'Rear, and moved the court to permit them to withdraw their written withdrawal from the local option petition herein. Wm. Botts and others objected thereto, which objection was overruled by the court, and the said written requests having been proved by the witnesses who attested same, the said petitioners are permitted to withdraw said previous withdrawals and to let their names stand on the petition as it was first signed. Wm. Botts and others saved an exception. The request of the other petitioners to withdraw their signatures was granted by the court. Upon evidence heard the name of Joe Hardy was stricken from the list of petitioners in Smithville Precinct because he is not a legal voter therein.

In Aaron's Run Precinct the following petitioners asked leave to withdraw their signatures: Chester Hatton, Thomas Tubbs, Tom Crooks, John Tubbs, Lane Stockdale, Shaek Johnson, R. R. Hutchinson, W. T. Daugherty, B. H. Hatton, John T. Myers, J. E. Guilfoyle, Vance Shouse, H. M. Wade. Tom Tubbs was introduced as a witness by the petitioners, and upon cross-examination asked leave to withdraw his withdrawal from the petition and to allow his name to stand, which was objected to by Wm. Botts, &c., but the objection was overruled by the court, to which Botts, &c., excepted. The other petitioners who asked to withdraw their names from the petition were granted leave to do so.

In Sideview Precinct the following petitioners asked leave to withdraw their names: Bulger Setters, Ben Martin, Roland McClanahan, Will Workman, Orey Gilvin, Tom Antom, Eddie Todd, W. B. Kidd, Nim Gilvin, Joe Gilvin, Lee Brown, John Setters, J. H. Green. All of these appeared by their attorney, Lewis Apperson, and filed their written request to have their names withdrawn from the petition herein, which said written requests were proved by the subscribing witnesses thereto. Thereafter came again the said Will Workman, Orey Gilvin, Nim Gilvin, Joe Gilvin, Lee Brown, John Setters and J. H. Green, and by their attorney, Ed. C. O'Rear, filed their written request to allow their names to stand on the petition as signed originally and withdraw their withdrawals, which last motion was objected to by William Botts, &c., which objection was overruled and to which said Botts, &c., excepted. The said papers signed by the last named persons were proved by the attesting witnesses thereto. The other petitioners, Bulger Setters, &c., who asked to withdraw their signatures, and had not recanted, were permitted to withdraw same.

The hearing of this case was continued from day to day, the court adjourning from day to day and from time to time to accommodate the parties, from August 19th; when on August 23rd objectors, William Botts, &c., filed certain written motions to withdraw certain names and strike certain names from the said petitions, which said written motions are now noted of record and have been disposed of by the foregoing order. Insofar as said motions were not sustained by said William Botts, &c., objected and excepted.

Thereupon came the petitioners herein and moved the court and offered to file supplemental petitions herein as an amendment to the original petitions, adding thereto names as follows:

Aaron's Run Precinct: James Willoughby, George W. Tont, Milton Bloom, William Shouse, Clarence Thatcher, James Hutzell, G. B. Dennis, Gum Toy, C. A. Royse, and moved the court to permit the said petitioners to appear in their own behalf and in behalf of the other petitioners and voters of said precinct, in lieu of those who had withdrawn their names from said petition, to which William Botts, &c., objected. Thereupon the petitioners introduced the affidavit of Matt Ford to prove the execution of said petition and that said petitioners were citizens and legal voters of said precinct; whereupon the court overruled the objection of Botts, &c., and permitted said supplemental and amended petition to be filed, to which said Botts, &c., excepted.

Thereupon came the petitioners and F. G. Trimble, Mart Gay, Alfred Gay, Ed Walker, Joe Grubbs, D. B. Skidmore, Allen Keys,

Robert Stewart, and moved that the last named persons be allowed to file their supplemental petition to operate as an amended petition herein from Smithville Precinct, and proved the execution of the said supplemental petition and that the said petitioners were citizens and residents and voters in said precinct by witnesses W. H. Dyson, Robert Marshall and H. C. Ledford. William Botts, &c., objected, objection being overruled and exception saved; and said supplemental petition was ordered to be filed.

Fourth Ward, Mt. Sterling: Thereupon came said petitioners and C. F. Rainey, Ike Rogers, H. J. Porter, J. C. Bailey, C. H. Petry, R. D. Persons and moved and offered to file their supplemental and amended petition for the Fourth Ward, and proved the signature of said C. F. Rainey and five others on said supplemental petition, and that they were residents and legal voters in said ward, to the filing of which William Botts, &c., objected, their objection being overruled and they excepted. Said amended and supplemental petition is ordered to be filed.

Thereupon came petitioners and Richard Gossett, William Bradshaw, H. N. Howard, W. Wilson, Porter Strouder, Jesse Daugherty, Isaac Job, James Cockrell, Sim Gum, Nelson Morris, Mart Davis, Everett Mitchell, Daniel Cline, and moved the Court to allow them to file their supplemental and amended petition herein for the Third Ward, City of Mt. Sterling; and the signature of said petitioners, the fact of their legal residence and that they were legal voters in said ward being proven by witnesses H. C. Ledford, B. C. Hatton, Ewing Flynn, G. H. Strother, Claude Strother, J. W. Thompson and John M. Rainey. William Botts, &c., objected to the filing of said amended and supplemental petition, their objection was overruled and exception saved, and said amended and supplemental petition was ordered to be filed.

Thereupon came the petitioners and R. R. Campbell and 19 other petitioners and offered to file their supplemental and amended petition herein from the Sideview Precinct, witness W. E. Faris having proven the signatures of the last 12 of said petitioners and that all of said petitioners were legal voters and residents of said precinct. William Botts, &c., objected to the filing of said amended and supplemental petition, which objection was overruled, to which they excepted; and said amended and supplemental petition is ordered to be filed.

The Court finds from the evidence that the total vote cast in Montgomery County at the last general election was as follows by precincts:

Aaron's Run	170
Bean's	108
Camargo	179
Grassy Lick	251
Hart's	172
Howard's Mill	170
Jeffersonville	239
Levee	159
First Ward	252
Second Ward	296
Third Ward	222
Fourth Ward	151
Sideview	140
Smithville	169
Spencer	137

Total2,815

This case now coming on to be heard again on this Aug. 23, 1912, and having been argued by counsel, the Court being sufficiently advised, doth now order and adjudge that the prayer of the said petitioners herein be granted, and that the Sheriff of Montgomery County is now ordered and directed to open a poll in each and all of the voting places in said county on Monday, September 30, 1912, for the purpose of taking the sense of the legal voters of said county who are qualified to vote in the elections for county officers, upon the proposition whether or not spirituous, vinous or malt liquors shall be sold, bartered or loaned therein, and that the provisions of the local option law, Chapter 81, Ky. Statutes, and the prohibitions thereof apply to druggists. The election commissioners of Montgomery County are ordered to appoint officers of election for each and all of the precincts and voting places in said county to hold said election and the special registration hereinafter provided for.

It appearing to the Court that the County Montgomery contains a city of the fourth class, to-wit, the City of Mt. Sterling, wherein the voters are required to be registered as a prerequisite to their right to vote, it is now ordered by the court that the officers of election appointed hereunder to hold said election shall assemble at their respective voting places on Tuesday, September 24, 1912, for the registration of those persons entitled to vote at the election herein ordered whose names have not been recorded on the registration books of this year; and the Clerk of this Court is ordered to deliver to the registration clerks for the several precincts of the city aforesaid the registration books for their several precincts as required by law, and said officers of registration shall keep their books open in their registration offices for the length of time provided by statute.

The Clerk of this Court is ordered to give to the Sheriff of this county a certified copy of the order of this Court within five days, and the said Sheriff is ordered to have said order published in some weekly newspaper published in this county at least two weeks before the election and also to advertise the same by printed or written handbills posted in some conspicuous place in each precinct in the county for the same length of time. The Sheriff and Clerk are directed to comply with the requirements of Section 2555, Ky. Statutes, as to the publication of notice of said election.

Heretofore the petitioners have deposited \$100.00, which was fixed by the order of the Court as the sum necessary and sufficient to pay for printing and posting of advertisements provided for and the fees of the Clerk for making entries in the order book.

The County Clerk is ordered to prepare ballots for holding the election in accordance herewith.

William Botts, Teddy Minehan and J. P. King object and except to this judgment.

G. A. MCCORMICK,
Judge of Montgomery County Court.

A Copy—Attest:
KELLER GREENE,
Clerk Montgomery County Court.

Now in pursuance of said order, notice is hereby given that a SPECIAL REGISTRATION will be held at the usual voting places in the First, Second, Third and Fourth Wards of the City of Mt. Sterling, Ky., being Precincts A, B, C and D in said city, on

TUESDAY, SEPTEMBER 24, 1912,

between the hours of six o'clock a. m. and nine o'clock p. m. to afford any legal voter therein whose name does not appear on the regular October, 1911, registration books, the opportunity to so register.

And in pursuance of said order and the authority therein conferred upon me, I will on

MONDAY, SEPTEMBER 30, 1912,

between the hours of six o'clock a. m. and four o'clock p. m., at the usual voting places in each and every voting precinct of Montgomery county, Kentucky, open a poll for the purpose of taking the sense of the legal voters of said county, who are qualified to vote at an election for county officers, upon the proposition of whether or not spirituous, vinous or malt liquors shall be sold, bartered or loaned therein and that the provisions of the local option law under Chapter 81 of the Kentucky Statutes shall apply in said vote and election to druggists.

Given under my hand this 29th day of August, 1912.

W. F. CROOKS, Sheriff Montgomery County, Ky.